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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2177  
Examiner: Unknown



RECEIVED

MAY 10 2001

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

In re PATENT APPLICATION of

Applicants: William T. CARDEN )  
Application No.: 09/576,386 )  
Filed: May 22, 2000 )  
For: SYSTEM AND METHOD FOR )  
PUBLISHING MANUSCRIPT )

PETITION  
UNDER  
37 C.F.R. § 1.181(a)(3)

Attorney Docket No.: 35672-163980

May 8, 2001

05/08/2001 date: 08/15/2001 LGIBBS  
01 FC:122 ETULU1 00000003 09576386  
-130.00 OP

Assistant Commissioner for Patents  
Washington, D.C. 20231

05/08/2001 LGIBBS 0000108376

CHECK Received Total: \$130.00

Pursuant to 37 CFR § 1.181(a)(3), Applicant petitions the Commissioner for acknowledgement of consideration of the original filing date of May 22, 2000 in the above-identified application.

The above-identified application was filed on May 22, 2000 with thirty-eight pages of specification, twenty claims, an Abstract and thirty sheets of drawings without fee. Copies of the dated stamped filing receipt and postcard are attached hereto.

On August 9, 2000, a Notice of Incomplete Nonprovisional Application was issued. The notice stated that the filing date had not been accorded because 1) a Declaration/Power of Attorney is needed; 2) the specification submitted on May 22, 2000 was not submitted with at least one claim; and 3) statutory basic filing fee was missing.

On October 10, 2000, a Response to the Notice of Incomplete Nonprovisional Application and included a surcharge of \$130.00 for the Declaration along with the Declaration and Power of Attorney, the basic filing fee of \$710.00 and an Assignment with cover sheet with fee was filed.

05/09/2001 ETULU1 00000003 09576386  
01 FC:122 130.00 OP

On November 15, 2000, yet another Notice of Incomplete Nonprovisional Application was issued. The second notice stated that the filing date still had not been accorded and that a new Declaration/Power of Attorney and that a specification that included at least one claim needed to be provided.

In response to the second Notice of Incomplete Nonprovisional Application a Response to the Notice of Incomplete Nonprovisional Application was filed on December 4, 2000. In the second request, a copy of the specification as previously filed on March 22, 2000, along with a copy of the executed Declaration/Power of Attorney (originally filed on October 10, 2000), and a copy of the stamped filing receipt for the first Response to Notice of Incomplete Nonprovisional Application of October 10, 2000 were filed.

Applicant's representative then received the Official Filing Receipt on December 14, 2000. The receipt had the filing date of the present application of December 4, 2000.

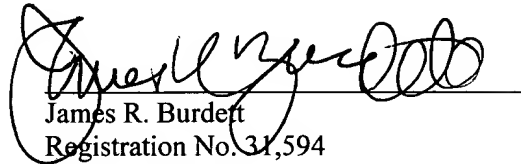
A complete specification including at least one claim in compliance with 35 U.S.C. §112 was filed on May 22, 2000. A postcard and acknowledgement stamped as evidence of the receipt of these materials by OIPE is attached hereto.

In accordance with 37 C.F.R. §1.181(3), Applicant respectfully requested that the Official Filing Date of the above-identified application be March 22, 2000, the date of the original filing of all materials required by 37 C.F.R. §1.53(b) to receive a filing date.

Petition Under 37 C.F.R. 1.1(3)  
U.S. Appln. No.: 09/576,386

A check in the amount of \$130.00 is attached hereto for the petition fee. However, as this  
Petition is necessitated by U.S.P.T.O. error, a refund of the petition fee is requested.

Respectfully submitted,



James R. Burdett  
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Washington, D.C. 20043-9998

JRB:JAK:lrh  
#286206



**Date:** May 22, 2000

**Attorney Docket No.:** 35672-163980

JRB:lrh

**Title:** SYSTEM AND METHOD FOR PUBLISHING MANUSCRIPTS

**Applicants:** William T. CARDEN, Jr.

**Serial No:** (Not Yet Assigned)

**Filed:** May 22, 2000

**Papers Filed:** New U.S. Patent Application, including specification (38 pages), claims (1-20), and drawings (30 sheets); Transmittal Letter;  
**Fee:** \$0

#217667

jc511 U.S. PTO  
09/576386  
05/22/00

89024

May 22, 2000  
Filing Date

Venable Filing Number

Atty. Docket No. 35672-163980

Re: SYSTEM AND METHOD FOR PUBLISHING MANUSCRIPTS

Application No.: New U.S. Patent Application

Filing Date: May 22, 2000

Patent No.:

Issue Date

Trademark:

Trademark Reg. No.:

Opposition/Cancellation No.:

The following items were received from Venable, Washington, D.C., by the U.S. Patent &amp; Trademark Office:

U.S. PTO FEES ENCLOSED

Transmittal Letter

Filing Fee

New U.S. Patent Application with 38 pages of  
Spec/claims 1-20, with Abstract and 30 sheets of  
drawings.

X

Formal Drawings (\_\_\_ sheets)

Assignment Recordation

Invention Declaration

Additional Claim Fee

National Stage Application

Translation of International Application

Recordation Fee

New U.S. TM Application (\_\_\_ specimens)

Rule 53(d) Continuation or Division Application

IDS Fee

Rule 53(b) Continuation or Division

Application (in Duplicate) (attach copy of  
specifications, claims, drawings & declaration)

Priority Document-Cert. Copy of \_\_\_ Appln. #

Date

Extension Fee

Assignment w/Cover Sheet

Issue Fee Part B Transmittal with check for \$1210

Notice of Appeal Fee

Response

Amendment

Brief on Appeal Fee

Petition/Request for Extension of Time

Issue Fee Part B with a check for \$605.00 and a

Oral Hearing Request Fee

Change of Address Form

Appeal Brief (in triplicate)

Request for Oral Hearing

Petition Fee

Confirmation of Hearing Petition

Letter Under 37 CFR 1.28 (c)

Issue Fee

Maintenance Fee Transmittal

Maintenance Fee

TM Statement of Use

Request For Corrected Filing Receipt

8 and 15 Affidavit

Terminal Disclaimer

Notice to File Missing Parts

Supplemental Search Report and Annex

TM Renewal Application Fee

Postcard

Change of Address

Notice of Opposition Fee

Terminal Disclaimer

Fee: 0

Check Number

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

**REQUEST FOR PATENT FEE REFUND**

1 Date of Request: 6/14/01 2 Serial/Patent # 09/576,386

3 Please refund the following fee(s):

4 PAPER  
NUMBER

5 DATE  
FILED

6 AMOUNT

Filing

Amendment

Extension of Time

Notice of Appeal/Appeal

☒ Petition

Issue

Cert of Correction/Terminal Disc.

Maintenance

Assignment

Other

6

5/8/01

\$ 130.00

7 TOTAL AMOUNT  
OF REFUND

\$ 130.00

8 TO BE REFUNDED BY:

☒

Treasury Check

Credit Deposit A/C #:

☐

9   --

10 REASON:

Overpayment

Duplicate Payment

☒ No Fee Due (Explanation):

Petition to accord a new filing date was granted

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: Cliff Congo

TITLE: Petitions Attorney

SIGNATURE: Cliff Congo

PHONE: 305-0272

OFFICE: Petitions

\*\*\*\*\*  
THIS SPACE RESERVED FOR FINANCE USE ONLY:

APPROVED: Aiana Chase

DATE: 8-16-01

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: